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Attorneys for Plaintiff RAIT Partnership, L.P., a Delaware limited partnership,

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

RAIT PARTNERSHIP, L.P., a Delaware limited  
partnership,

Plaintiff,

v.

RICHARD J. NATHAN, an individual,  
COMMERCIAL VENTURES, INC., a Delaware  
corporation and NATIONAL COMMERCIAL  
VENTURES LLC, a Delaware limited liability  
company,

Defendants.

CASE NO.: 2:12-CV-01643-GMN-CWH  
**STIPULATION & ORDER TO STAY  
LITIGATION PENDING SETTLEMENT**

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1 Plaintiff, RAIT Partnership, L.P. ("RAIT"), and Defendants, Richard J. Nathan,  
2 Commercial Ventures, Inc., and National Commercial Ventures LLC ("Defendants"), by their  
3 attorneys, hereby stipulate and agree that the Court enter an order staying all proceedings in this  
4 case until May 14, 2013, in light of the Parties' settlement agreement. In support of this  
5 stipulation, the Parties state as follows:

6 1. On February 13, 2013, the Parties took part in a mediation in an attempt to settle  
7 the present litigation and other disputes among the parties. At the mediation, the Parties reached  
8 resolution and documented their resolution in a written settlement agreement, the material terms  
9 of which are confidential.

10 2. Pursuant to the terms of the settlement agreement, Defendants will complete  
11 performance of its settlement obligations on or before May 14, 2013. At that time, the Parties  
12 will jointly move to dismiss this lawsuit with prejudice.

13 3. Currently pending before the Court are (1) Defendants' omnibus motion to  
14 dismiss, (2) Defendants' motion to transfer venue, and (3) Defendants' evidentiary objections to  
15 Plaintiff's declaration.

16 4. The parties respectfully request that the Court stay the present case and its  
17 decision on the pending motions until May 14, 2013 to provide the parties adequate time to  
18 fulfill the settlement agreement and seek dismissal.

19 5. This request is not made to delay the litigation or prejudice any party.  
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WHEREFORE, Plaintiff, RAIT Partnership, L.P., and Defendants, Richard J. Nathan, Commercial Ventures, Inc., and National Commercial Ventures LLC, agree that all proceedings in this case be stayed until May 14, 2013.

Dated: February 15, 2013

Respectfully submitted,

/s/ Nathanael R. Rulis  
One of the Attorneys for the  
Defendants

/s/ Alexander J. Darr  
One of the Attorneys for Plaintiff

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### **ORDER**

**IT IS HEREBY ORDERED** that this action shall be **STAYED** until May 14, 2013.

**IT IS FURTHER ORDERED** that all pending motions are **DENIED without prejudice.**

**IT IS FURTHER ORDERED** that the parties shall file a **status report by May 14, 2013**, if dismissal paperwork has not already been filed in the docket.

**DATED** this 21st day of February, 2013.

  
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Gloria M. Navarro  
United States District Judge